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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 14

Application Number	10/656,479
Filing Date	9/4/03
First Named Inventor	Heltzer et al.
Art Unit	3626
Examiner Name	Unassigned
Attorney Docket Number	Y1779-00002

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☐ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/ Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
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- ☐ Petition to Convert to a Provisional Application
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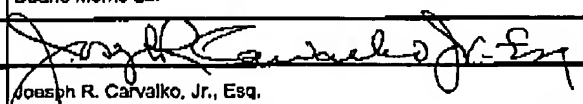
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☑ Other Enclosure(s) (please identify below):

Prior Art Search and Discussion of References

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Duane Morris LLP		
Signature			
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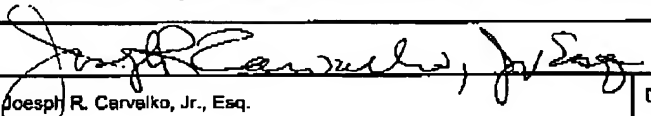
Signature			
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February 17, 2005

Lorraine A. Glorig

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application: Jonathan Helitzer et al.	:	**Group Art Unit: 3626**
Serial Number: 10/656,479	:	**Examiner:** Special Program Examiner
Filed: September 4, 2003	:	**Attn. Docket No.:** HTFD-A

Title: A SYSTEM FOR REDUCING THE RISK ASSOCIATED WITH AN INSURED BUILDING STRUCTURE THROUGH THE INCORPORATION OF SELECTED TECHNOLOGIES

Group Art Unit 3626
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Petition To Make Special

Sir:

The referenced new application (which has not received any examination by the examiner) is hereby petitioned to be granted special status.

If the claims presented are not obviously directed to a single invention, the Applicant will make an election without traverse as a prerequisite to the grant of special status.

PAGE 3/15 * RCVD AT 2/17/2005 12:00:36 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/0 * DNIS:8729306 * CSID:212 692 1021 * DURATION (mm-ss):04-38

A pre-examination search was made directed to the invention as claimed in the application for which special status is hereby made.

Attached herewith with a listing the field of search by class and subclass, publication, chemical abstracts, and foreign patents, where applicable.

Attached is one copy each of the references deemed most closely related to the subject matter encompassed by the claims; accompanied by a detailed discussion of the references, which discussion points out, with the particularity required by 37 CFR 1.111 (b) and (c), how the claimed subject matter is patentable over the references.

Submitted with this petition to make special the fee set forth in 37 CFR 1.17(h); However, the Commissioner for Patents is hereby authorized to charge any additional fees or credit any excess payment that may be associated with this communication to Duane Morris LLP deposit account 04-1679.

Respectfully submitted,

Dated: February 17, 2005

By: _____

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A SYSTEM FOR REDUCING THE RISK ASSOCIATED WITH AN INSURED BUILDING STRUCTURE THROUGH THE INCORPORATION OF SELECTED TECHNOLOGIES

PRIOR ART SEARCH AND DISCUSSION OF REFERENCES

SUBJECT MATTER: .....

SUBCLASSES SEARCHED: .....

USPTO EXAMINERS CONSULTED: .....

KEYWORD SEARCH: .....

SEARCH RESULTS .....

Patent Documents .....

Non-Patent Documents .....

CONCLUSION .....

A. SUBJECT MATTER:

The subject matter of the search is summarized by the following features which reflect Claim 1 (as amended) with respect to what was uncovered in the prior art:

A method of underwriting insurance by taking into account technologies that militate against loss via identifying a technology that mitigates a risk associated with a property loss for which an insured purchases insurance and providing an insurance policy that accounts for the diminution of risk;

Maintaining a database identifying a plurality of technologies that reduce risk of loss;

Calculating the risk of loss and risk reduction from incorporating technologies and creating an insurance policy based upon the risk reduction; and

Offering an incentive to employ a particular technology to militate against loss.

B. SUBCLASSES SEARCHED:

Class	Subclass	Class/Subclass Description

Class	Subclass	Class/Subclass Description
705		DESCRIPTION OF THE CLASS
	1	AUTOMATED ELECTRICAL FINANCIAL OR BUSINESS PRACTICE OR MANAGEMENT ARRANGEMENT
	4	**AUTOMATED ELECTRICAL FINANCIAL OR BUSINESS PRACTICE OR MANAGEMENT ARRANGEMENT** - Insurance (e.g., computer implemented system or method for writing insurance policy, processing insurance claim, etc.)
	35	**AUTOMATED ELECTRICAL FINANCIAL OR BUSINESS PRACTICE OR MANAGEMENT ARRANGEMENT** - Finance (e.g., banking, investment or credit)
	38	**AUTOMATED ELECTRICAL FINANCIAL OR BUSINESS PRACTICE OR MANAGEMENT ARRANGEMENT - Finance (e.g., banking, investment or credit)** - Credit (risk) processing or loan processing (e.g., mortgage)

C. USPTO EXAMINERS CONSULTED:

The patent analyst contacted the following examiner to confirm the relevancy of the subclasses that were searched:

Hani Kazimi, Primary Examiner, Art Unit 3624, Class 705

Examiner Kazimi recommended a search be performed in class 705 among other areas.

D. KEYWORD SEARCH:

The patent analyst conducted a keyword search in the US Patent, US Published Application, EPO, JPO (abstracts and bibliographic data only), EP-A, EP-B, WO, DE-C, DE-B, DE-A, DE-T, DE-U, GB-A, FR-A, and Derwent World Patent Index databases, using one or more of the following terms and phrases in many varying combinations and in varying patent data fields (including alternative grammatical forms of word roots, e.g., plural noun, gerund verb, present/past tense verb, etc.):

Full Text:
"(database or (data adj base)) same risk same (loss*3 or technolog*4 or reduc*3) same (insurance or underwrit*6)"

Class 705/4 and:
"monitor*4 or sensor*5"
"(underwrit*5 or insurance) and (incentive or (reduc*4 with risk*4))"
"(technologies or technology) and risk and insurance and (database*@ or (data adj base*2)) and (building*2 or structure*2)"

Class 705/4 or Class 705/38 and:
"property with insurance and database*3 and risk*3 and incentive*3"
"incentive*2 and technolog*4 and risk*2"
"incentive and technolog*4 and risk*2"

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"risk*2 and insurance and technolog*5 and databas*3 and building*2 and structure*3"

Title/Abstract:
"insurance and risk*2 and reduc*6"
"property and insurance and (database*2 or (data adj base*3))"

E. SEARCH RESULTS

(1) Patent Documents

The patent analyst identified the following patents or published applications as material to the focus of the present invention.

Document Data Discussion / Notable Features Abstract	Subject Features			
	1	2	3	4
US 2003/0158758 Kanazawa, Kiyoshi 705/4 No Assignment Data Available DISCUSSION: In the Background of the Invention, Kanazawa discusses prior art risk reduction such as: the incentive to not smoke for an insurance discount. For example, if one is confirmed to have non-smoking habit by a sputum test at the time of contract, a discount is applied up to approximately 30%. Also, Kanazawa states, "A recently introduced risk-subdivided type life insurance uses values of blood sugar and BMI for the index." Also, implementing the technology such as anti-lock brakes can also provide an insurance discount. Kanazawa states, "In a risk-subdivided type automobile insurance, basic premium determined by usage, type, etc. of a vehicle is discounted in accordance with such indices related with rate of accidents, average amount of damage per accident, etc. For example, if a vehicle is equipped with an airbag, an anti-lock brake system (ABS), the basic premium is discounted." Kananzwa notes the Japanese Laid-open Patent No. H11-511581 discloses a technology in which a sensor mounted in a vehicle automatically collects data about driving behavior, and the collected data are used for adjusting the premium. The Summary of the Invention discusses: Giving *advice* on the health promotion, or on the good maintenance of vehicle, is an important activity of an insurance company who wishes to reduce the	X		X	X

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future risks. There is an advice responding terminal and an advice terminal. Also see claim 1. ABSTRACT: An insurance descriptions adjusting system for properly setting an insurance premium. The system comprises an insurance descriptions adjusting method and device, a status data acquiring terminal device, an advice responding terminal device, and advice device, an insurance descriptions adjusting program, a status data acquiring program, an advice responding program, an advice program, and a computer-readable recording medium for recording those programs. Insurance descriptions determined based on a status data describing a state of an insured object are adjusted by using a level of enthusiasm shown by an insurance contractor towards the reacquisition of the status data and a level of enthusiasm shown by the insurance contractor in reducing the risk of an insured object. Accordingly, a proper insurance premium is set for an insured object whose future risks are likely to go lower. Comparing Kanazawa the present invention Claim 1 (currently amended) the present invention importantly includes the maintenance of a database of technologies. As indicated, Kananzwa does not disclose maintaining a database identifying a plurality of technologies that reduce risk of loss. Comparing the present invention to the Japanese Laid-open Patent No. H11-511581 the present invention does not include the elements of, in which a sensor mounted in a vehicle automatically collects data about driving behavior. Conversely, the Japanese Laid-open Patent No. H11-511581 does not appear to maintain a database identifying a plurality of technologies that reduce risk of loss. Additionally the present invention does not employ the method as for Kanazawa claims in its claim 1: adjusting insurance descriptions determined based on status data acquired as a value representing a state of an insured object, said method comprising the step; adjusting said descriptions by using at least one of a level of first collaborating enthusiasm shown by an insurance contractor towards reacquisition of said status data, and a level of second collaborating enthusiasm shown by the insurance contractor in reducing risks of said insured object.				
US 20040117217 Reber, Richard, R. 705004 340/457.1; 280/802; 701/45 No Assignment Data Available DISCUSSION:	X			X

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Reber shows a safety system 100 that includes an occupant detector 102, a passenger restraint device usage detector 104, a controller 110, and a vehicle circuit activation/ deactivation unit 112. The system 100 further includes passenger restraint use data storage 106 that receives usage data 122 from the passenger restraint device usage detector 104. The controller 110 is coupled to the data storage 106 via a control signal 108. The system 100 also interfaces with a vehicle device 114, such as a vehicle ignition, radio, starter, air conditioner, heater, audible device, visual device, sensory device, and display device. The passenger restraint device uses data and other data produced by use of the safety system 100 may also be remotely collected, stored, and analyzed for many different vehicles. A wireless communication device may be used to provide the remote communication from the vehicles to a data storage center. ABSTRACT: The present disclosure (US 20040117217) relates generally to safety systems and related insurance offerings to encourage increased use of passenger restraint safety devices, such as seat belts. In a particular embodiment, a method to encourage use of a passenger restraint device in a vehicle that relates to a financial incentive and an insurance offering is disclosed. Comparing the present invention to Reber the present invention does not include the elements of, in which a sensor mounted in a vehicle automatically collects data about driving behavior. Conversely, the Reber does not appear to maintain a database identifying a plurality of technologies that reduce risk of loss. Claim 5 in the present invention is importantly drawn to the maintenance of a database of technologies. As indicated, Reber does not disclose maintaining a database identifying a plurality of technologies that reduce risk of loss. In addition Reber does not employ the step of : calculating the risk of loss related to the building structure.				
US 2003/0233261 Kawahara, Hirofumi 705004 No Assignment Data Available DISCUSSION: Kawahara shows a sensor that causes a driver comes to be conscious of safe driving because the driving state is monitored. As a result, the	X			X

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probability of accident occurrence is lowered and the insurance expense is reduced. Furthermore, since costs for handling accidents can be reduced, inexpensive insurance products can be supplied. Consequently, introduction and popularization of the automobile insurance system is promoted, whereby the safety awareness of driving can be raised. In addition, although the automobile insurance system was described when it is applied to the four-wheeled vehicle in the above embodiment, it is not limited to this and may be applied to general means of land transportation such as an electric train, a motorcycle, a bicycle or the like and means of water transportation including a small craft such as a wet bike or the like. ABSTRACT: A video camera for photographing a running state of an automobile is provided in the automobile and the photographed video is recorded in a recording device. When a sensor mounted on the automobile detects occurrence of an accident by detecting an impact or the like, data containing the running state recorded by the recording device is transmitted to an insurance center which computes insurance payment for the accident through a transmission system. As a result, there can be provided an automobile insurance system so that a driver comes to be conscious of safe driving. Comparing the present invention to Kawahara the present invention does not include the elements of, in which a sensor mounted on the automobile detects occurrence of an accident. Conversely, the Kawahara does not appear to maintain a database identifying a plurality of technologies that reduce risk of loss. Claim 5 in the present invention is importantly drawn to the maintenance of a database of technologies. As indicated, Kawahara does not disclose maintaining a database identifying a plurality of technologies that reduce risk of loss. In addition Kawahara does not employ the step of : calculating the risk of loss related to the building structure				
US 6,502,020 Lang, Brook W. 701/29 340/970; 701/208; 701/213 No Assignment Data Available DISCUSSION: Lang shows a driver's movement database 64 and the ancillary databases 65, 66, 67. By reviewing which motor vehicle is driven, the amount of driving, the driving routes, the time of driving, and the safety sensor		X		

information, the insurance company 18 is able to access the risk of lost to insure the driver 13 or motor vehicle 12 (see claim 1). It is an object of the present invention to provide such a method that can also be integrated with other databases to more accurately determine the risk of loss.

ABSTRACT:
An ongoing driving habit monitoring system used by insurance companies to more accurately determine the driving habits of their policyholders or authorized drivers to more accurately determine their risk of loss. The system uses a monitoring device located in the insured party's motor vehicle. Each monitoring device is coupled to a GPS receiver, that provides physical location information, and to a wireless modem capable of connecting to a wireless communication network. The system also includes a central computer connected to a wide area network that is able to continuously or intermittently receive movement information from the monitoring device as it travels in a specific region covered by the wireless communication network. The central computer uses a driving monitoring software program and several ancillary databases containing roadway information for a region, route information, and traffic pattern information. Insurance companies or other authorized users of the system are able to log onto the central computer to the information in the database.

Lang includes a database as does the present invention, however it does not employ a method of underwriting insurance by taking into account technologies that militate against loss via identifying a technology that mitigates a risk associated with a property loss for which an insured purchases insurance and providing an insurance policy that accounts for the diminution of risk;

Calculating the risk of loss and risk reduction from incorporating technologies and creating an insurance policy based upon the risk reduction; and

Offering an incentive to employ a particular technology to militate against loss.

We identified the following patents or published applications as being peripheral to the focus of the present invention. We list them here for reference.

Document No.	Inventor Name	Current Class/Subclass	Title

Document No.	Inventor Name	Current Class/Subclass	Title
US 2004/0249679	Henderson, E., DeVere	705/4	Systems and methods for qualifying expected loss due to contingent destructive human activities
US 2004/0243450	Bernard, Thomas, James	705/4	Method, system, and computer program product for real property metric monitoring
US 2003/0229522	Thompson, John	705/4	Benefit management system and method
US 2002/0091550	White, Mitchell Franklin	705/4	System and method for real-time rating, underwriting and policy issuance
US 2002/0052765	Taylor, Don	705/4	Method and apparatus for insuring multiple unit dwellings
US 2004/0225535	Bond, William, E.	705/4	Automated assignment of insurable events
JP 2002329071	Shirata Kiyoshi	G06 F017/60	Insurance processing server, its computer program, insurance processing system and its program
JP 2001319051	Omoto Hideki	G06 F017/60	Program, device and method for designing financial article, and computer-readable recording medium stored with financial article designing program
US 2003/0093366	Halper, Steven C.	705/38	Automated loan risk assessment system and method
WO 2003090130	Moon, Peter, Gerard	G06 F017/60	Risk assessment and measurement method and system
JP 2002373259	Kariya Takeaki	G06 F017/60	Net premium calculation method in property insurance or the like using individual risk model and system therefor
US 2004/0267577	Nakai, Kentaro	705/4	Method and apparatus for managing risk of disaster

Document No.	Inventor Name	Current Class/Subclass	Title
US 2004/0215494	Wahlbin, Stefan, L.	705/4	Method and system for determining monetary amounts in an insurance processing system
US 2004/0148201	Smith, Tracy, Lee	705/4	Insurance management system
US 6,684,189	Ryan, Ronald B.	705/4	Apparatus and method using front-end network gateways and search criteria for efficient quoting at a remote location
US 2003/0233323	Bilski, Bernie	705/40	Capped bill systems, methods and products having an insurance component
EP 1259898 EP 1259921 WO 0163534 WO 0163445	Watje, James, R.	G06 F017/00	Comprehensive risk assessment system and autonomous methods of insurance underwriting utilizing same
US 2003/0028406	Herz, Frederick S.	705/4	Database for pre-screening potentially litigious patients
US 2003/0009357 US 2002/0165739	Pish, Robert H.	705/4	Component based organizing of projects and members of an organization during claim processing
US 6,182,048	Osborn, Brock Estel	705/4	System and method for automated risk-based pricing of a vehicle warranty insurance policy
WO 2003058381 WO 2003065268 WO 2004100043	Bonnisone, Piero, Patrone	G06F 017/60	System for optimization of insurance underwriting suitable for use by an automated system
US 5,794,216	Brown, Timothy Robert	705/27	Methods and system for data acquisition in a multimedia real estate database
WO 0111501	Sudia, Frank, W.	G06F 017/30	Incentive compensation system and method

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Document No.	Inventor Name	Current Class/Subclass	Title
WO 9921116	Major, John, A.	G06F 017/60	Method and system for creating index values supporting the settlement of risk transfer contracts
JP 2002109229	Matsuzawa Morito	G06F 01760	Security insurance supporting system

(2) Non-Patent Documents

We identified the following non-patent documents during the search. Copies may be provided upon request.

Articles:
Risk Classification Aided by New Software Tool
Gallagher, Cecily
National Underwriter Property & Casualty Risk Benefits and Management,
No. 17, p.19, Apr. 27, 1992.

Insurance industry databases
Bases de donnees dans le domaine de l'assurance
DORN J; RITTER S K
American International Group, Inc. United States
Database : (Weston), 1998, Volume: 21, Number: 5, Page: 68-71

Business applications of data mining
Apte, C.; Bing Liu; Pednault, E.P.D.; Smyth, P.
Data Abstraction Res. Group, IBM T. J. Watson Res. Center,
Yorktown Heights, NY, USA
Communications of the ACM , vol.45, no.8 , Page: 49-53
Publisher: ACM, Aug. 2002

Insurance risk modeling using data mining technology
Apte, C.; Grossman, E.; Pednault, E.; Rosen, B.; Tipu, F.; White, B.
IBM Thomas J. Watson Res. Center, Yorktown Heights, NY, USA
Conference: PADD99. Proceedings of the Third International Conference on the Practical Application of Knowledge Discovery and Data Mining , Page: 39-47
Publisher: Practical Application Company , Blackpool, UK, 1999, 209 Pages
Conference: Proceedings of PADD99 , Sponsor: Compulog Net, Intelligence in Ind., IF Comput., Integral Solutions, Logic Programming Associates, et al 21-23 April 1999, London, UK

F. CONCLUSION

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Any US or foreign patents and published applications cited herein were accessed using proprietary patent and technical literature databases. The search was conducted through February 4, 2005. This report is based on information that was retrievable from those databases as of the date(s) the search was conducted.

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